(45)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Single Bench : Hon'ble Shri S.R. Nayak, CJ

Writ Petition No. 6277 OF 2005

PETITIONER

Pradeep Dubey, S/o Gaya Prasad, aged about 42 years, R/o Village Peeparkhunti, Tahsil - Gauraila, District Bilaspur (C.G.)

Versus

RESPONDENTS

1. The Election Commissioner, State Election Commission, Raipur (C.G.)
2. The District Election Officer/Collector, District Bilaspur (C.G.)
3. The Assistant Election Officer, Tahsil - Gauraila, District Bilaspur (C.G.)
4. The Returning Officer / Tahsildar, Tahsil - Gauraila, District Bilaspur (C.G.)
5. The Electoral Registration Officer, District Bilaspur (C.G.)
6. The Bandobast Officer, District Bilaspur (C.G.)
7. The Tahsildar, Tahsil Gauraila, District Bilaspur (C.G.)
8. The Halka Patwari, Patwari Halka No. 24, Tahsil Gauraila, District Bilaspur (C.G.)
9. The Assistant Electoral Registration Officer, Tahsil Gauraila, District Bilaspur (C.G.)

Present:

Mr. F.S. Khare, learned counsel for the petitioner.

Mr. Prashant Mishra, learned Addl. A.G. with Mr. Parag Kotecha, learned P.L. for the State.

ORAL ORDER

(Passed on 14th of December 2005)

It is the case of the petitioner that he is a permanent resident of Peeparkhunti village, Gauraila Tehsil, Bilaspur district; he owns agricultural land bearing Khasra Nos. 36,47,53 and 55 (New Nos.59,62, 81 and 37) area 0.30, 2.10, 0.70 and 0.20, total area of 3.30 acres and he is personally cultivating all those lands; his name was included in the

voters list published in the year 1999. His complaint is that in the revised voters list published in the month of October, 2005 his name is not included. Having noticed that fact, it is stated by the petitioner that he made an application / representation to respondent No.3 on 25.11.2005 to include his name in the voters list, but, the third respondent has not yet included his name in the voters list. It is stated that the petitioner intends to contest the Mandi election for the year 2005-06 and, therefore, if there is any delay on the part of respondent No.3, it would result in great prejudice to the petitioner.

Having heard learned counsel for the parties, I think that ends of justice would be met by directing the third respondent to consider and dispose of the application / representation of the petitioner dated 25.11.2005, within a time frame. Accordingly, the writ petition is disposed of directing the third respondent to consider and dispose of the application/ representation of the petitioner dated 25.11.2005, if not already disposed of, within a period of 10 days from today. Learned Additional Advocate General shall communicate this order forthwith to the third respondent. There shall be no order as to costs.

Sd/-
Chief Justice